

PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Paul C. Wacker et al.

Serial No.: 10/643,395

Examiner: unknown

Filing Date: August 18, 2003

Group Art: unknown

For: PDA CONFIGURATION OF THERMOSTATS

Docket No.: H0005399 H0005442(1161.1124101)

TRANSMITTAL SHEET

Assistant Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE UNDER 37 C.F.R. 1.8:** I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on this 9th day of January, 2004.

By:

John G. Shudy, Jr.

We are transmitting herewith the attached:

- [X] Information Disclosure Statement, Form PTO-1449 and 15 cited non-US patent references.
- [X] Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

John G. Shudy, Jr., Reg. No. 31,214  
CROMPTON, SEAGER & TUFTE, LLC  
1221 Nicollet Avenue, Suite 800  
Minneapolis, Minnesota 55403-2420  
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Facsimile: (612) 359-9349



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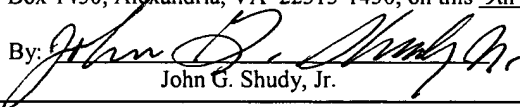
Docket No.: H0005399 H0005442(1161.1124101)

**INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))**

Assistant Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

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By:

  
John G. Shudy, Jr.

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F. R. §1.98(a)(2), a copy of each non-US patent document or other information listed on the enclosed Form 1449 is provided.

No representation is intended to be made hereby that any of the cited references establishes, by itself or in combination with other information, a prima facie case of unpatentability of any claim of the present case.

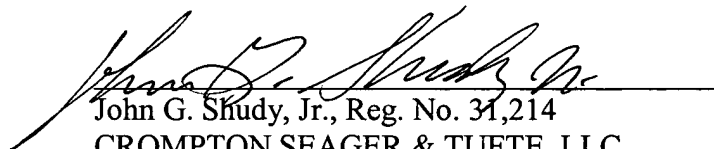
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Respectfully submitted,

Paul C. Wacker et al.

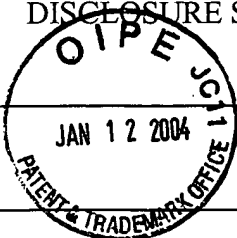
By their attorney,

Date: 1-9-04



John G. Shudy, Jr., Reg. No. 31,214  
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<b>FORM PTO-1449</b> Page 1 of 3  LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Atty. Docket No.: H0005399 (1161.1124101)	Serial No.: 10/643,395
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U.S. PATENT DOCUMENTS

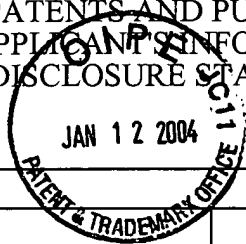
Examiner Initial	Document No.	Date	Name	Filing Date If Appropriate
	2002/0011923A1	01/31/02	Cunningham et al.	
	2002/0022991A1	02/21/02	Sharood et al.	
	2002/0138184A1	09/26/02	Kipersztok et al.	
	2003/0014179A1	01/16/03	Szukala et al.	
	2003/0033156A1	02/13/03	McCall	
	2003/0033230A1	02/13/03	McCall	
	2003/0074489A1	04/17/03	Steger et al.	
	4,332,352	06/01/82	Jaeger	
	4,337,893	07/06/82	Flanders et al.	
	4,373,664	02/15/83	Barker et al.	
	4,379,483	04/12/83	Farley	
	4,556,169	12/03/85	Zervos	
	4,628,201	12/09/86	Schmitt	
	4,646,964	03/03/87	Parker et al.	
	5,172,565	12/22/92	Wruck et al	
	5,404,934	04/11/95	Carlson et al.	
	5,732,691	03/31/98	Maiello et al.	
	5,915,473	06/29/99	Ganesh et al.	
	6,104,963	08/15/00	Cebasek et al.	
	6,119,125	09/12/00	Gloudeman et al.	
	6,141,595	10/31/00	Gloudeman et al.	
	6,149,065	11/21/00	White et al.	
	6,154,681	11/28/00	Drees et al.	
	6,167,316	12/26/00	Gloudeman et al.	

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Page 2 of 3  LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FORM PTO-1449	Atty. Docket No.: H0005399 (1161.1124101)	Serial No.: 10/643,395
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Examiner Initial	Document No.	Date	Name	Filing Date If Appropriate
	6,453,687	09/24/02	Sharood et al.	
	6,518,953	02/11/03	Armstrong	
	6,546,419	04/08/03	Humpleman et al.	
	6,556,899	04/29/03	Harvey et al.	

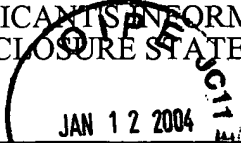
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	<a href="http://www.tcsbasys.com/products/superstats.asp">http://www.tcsbasys.com/products/superstats.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 2 pages, printed August 26, 2003.
	<a href="http://www.tcsbasys.com/products/sz1009.asp">http://www.tcsbasys.com/products/sz1009.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 1 page, printed August 26, 2003.
	<a href="http://www.tcsbasys.com/products/sz1022.asp">http://www.tcsbasys.com/products/sz1022.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 2 pages, printed August 26, 2003.
	<a href="http://www.tcsbasys.com/products/sz1024.asp">http://www.tcsbasys.com/products/sz1024.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 2 pages, printed August 26, 2003.
	<a href="http://www.tcsbasys.com/products/sz1030series.asp">http://www.tcsbasys.com/products/sz1030series.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 2 pages, printed August 26, 2003.
	<a href="http://www.tcsbasys.com/products/sz1031.asp">http://www.tcsbasys.com/products/sz1031.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 2 pages, printed August 26, 2003.
	<a href="http://www.tcsbasys.com/products/sz1033.asp">http://www.tcsbasys.com/products/sz1033.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 2 pages, printed August 26, 2003.
	<a href="http://www.tcsbasys.com/products/sz1035.asp">http://www.tcsbasys.com/products/sz1035.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 2 pages, printed August 26, 2003.
	<a href="http://www.tcsbasys.com/products/sz1017a.asp">http://www.tcsbasys.com/products/sz1017a.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 1 page, printed August 26, 2003.
	<a href="http://www.tcsbasys.com/products/sz1041.asp">http://www.tcsbasys.com/products/sz1041.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 1 page, printed August 26, 2003.
	<a href="http://www.tcsbasys.com/products/sz1050series.asp">http://www.tcsbasys.com/products/sz1050series.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 2 pages, printed August 26, 2003.

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		<a href="http://www.tcsbasys.com/products/sz1051.asp">http://www.tcsbasys.com/products/sz1051.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 2 pages, printed August 26, 2003.
		<a href="http://www.tcsbasys.com/products/sz1053.asp">http://www.tcsbasys.com/products/sz1053.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 2 pages, printed August 26, 2003.
		<a href="http://www.tcsbasys.com/products/sz1020nseries.asp">http://www.tcsbasys.com/products/sz1020nseries.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 2 pages, printed August 26, 2003.
		<a href="http://www.tcabasys.com/products/sz1017n.asp">http://www.tcabasys.com/products/sz1017n.asp</a> , TCS/Basys Controls: Where Buildings Connect With Business, 1 page, printed August 26, 2003.

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